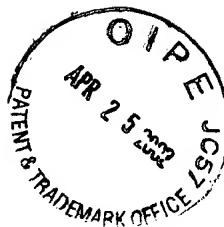


REV. 09/01  
For Other Than A Small Entity



18

Attorney Docket No. CO14CIP/DIV2/US

RECEIVED

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

APR 29 2002

TECH CENTER 1600/2900

In re application of: Michael J. Yellin et al.  
Application No. : 09/342,314 Confirmation No.: 6376  
Filed : June 29, 1999  
For : THERAPEUTIC APPLICATIONS FOR THE  
ANTI-T-BAM (CD40-L) MONOCLONAL  
ANTIBODY 5C8  
Group Art Unit : 1644  
Examiner : Phillip Gambel

New York, New York  
April 19, 2002

Hon. Commissioner for Patents  
BOX AF  
P.O. Box 2327  
Arlington, Virginia 22202

NOTICE OF APPEAL

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed October 23, 2001 in which the rejection of claims 1,103-108, 112-127, 130-131 was made final.

[ ] Applicant(s) respectfully requests an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.

[ ] The appropriate fee for a \_\_\_\_\_-month extension of time to respond to the final rejection was timely paid on \_\_\_\_\_

[X] A three-month extension of time to respond to the final rejection is requested and the appropriate extension fee is submitted herewith.

[X] Address all correspondence to:

Margaret A. Pierri, Esq  
Reg. No. 30,709  
FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020-1105  
Tel.: (212) 596-9000

[X] A check in the amount of [X] \$320.00 [ ] \$600.00 in payment of the [X] appeal fee, [ ] appeal and oral hearing fees, is enclosed.

[X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[ ] Please charge [ ] \$320.00 [ ] \$600.00 to Deposit Account No. 06-1075 in payment of the [ ] appeal fee; [ ] appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

#### EXTENSION FEE

[X] The following extension fee is applicable to the Notice of Appeal filed herewith; [ ] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$400.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [X] \$920.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,440.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,960.00 extension fee for fifth month pursuant to 37 C.F.R. 1.136(a).

[X] A check in the amount of [ ] \$110.00; [ ] \$400.00; [X] \$920.00; [ ] \$1,440.00; [ ] \$1,960.00; in payment of the extension fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional fee required under 37 C.F.R. § 1.17, or to credit any overpayment of same, to

Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[ ] Please charge the [ ] \$110.00; [ ] \$400.00;  
[ ] \$920.00; [ ] \$1,440.00; [ ] \$1,960.00; extension  
fee to Deposit Account No. 06-1075. A duplicate  
copy of this Notice of Appeal form is enclosed.

James F. Haley, Jr.  
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I Heroby Certify that this  
Correspondence is being  
Registered with the U.S.  
Postal Service as First  
Class Mail in an Envelope  
Addressed to: ASSISTANT  
COMMISSIONER FOR  
PATENTS  
P.O. Box 2327  
ALEXANDRIA, VA 22302-0227  
April 19, 2002  
Chitra S. Sainthil  
Signature of Person Signing